



CITY COUNCIL
City of Augusta, Maine

January 22, 2008

Title: Street Acceptance – Village Circle

ORDERED, That a street known as Cony Village Drive (to be named Village Circle) on a plan entitled "Recording Plat, Cony Village LLC, Cony Road and Eastern Avenue, Augusta, Kennebec County, Maine", drawings 1 and 2 of 2, dated June 26, 2007 and revised through December 5, 2007, by E.S. Coffin Engineering and Surveying, Augusta, Maine, recorded in the Kennebec County Registry of Deeds in Plan File numbers 2007-0299 and 2007-0300, be accepted as a public way. The boundary of the roadway is more particularly described in a deed from Cony Village LLC to the Inhabitants of the City of Augusta dated January 18 28, 2008 to be recorded in the Kennebec County Registry of Deeds.

018

Introduced by:

Moved By:

Sec'd By:

A TRUE COPY

ATTEST Barbara E. Wardwell
Barbara E. Wardwell, City Clerk
Augusta, Maine

DATE January 8, 2008

018
CITY COUNCIL
City of Augusta, Maine

	Yea	Nay
Byron		
Doore		
Paradis		
O'Brien		
*Rollins		
*Coffin		
*Munson		
*Stokes		
Mayor		
Total		

Title Street Acceptance - Village Circle

Read and Tabled to 01/28/2008

Date: January 22, 2007

Moved by: O'Brien Yeas: 8
Sec'd. By: Rollina Nays: 0

ATTEST:

Barbara C. Woodwell
CITY CLERK

	Yea	Nay
Byron	x	
Doore	x	
Paradis	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Munson	x	
*Stokes	x	
Mayor	-	-
Total	8	0

January 28, 2008

Moved by: Byron
Sec'd by: Doore

REMOVE FROM TABLE

Attest:

Barbara C. Woodwell
City Clerk

	Yea	Nay
Byron	x	
Doore	x	
Paradis	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Munson	x	
*Stokes	x	
Mayor	-	-
Total	8	0

	Yea	Nay
Byron		
Doore		
Paradis		
O'Brien		
*Rollins		
*Coffin		
*Munson		
*Stokes		
Mayor		
Total		

SECOND READING

Date: January 28, 2008

Read and Passed, as Amended

Moved By: Doore Yeas: 8
Sec'd. By: Byron Nays: 0

ATTEST:

Barbara C. Woodwell
CITY CLERK

	Yea	Nay
Byron	x	
Doore	x	
Paradis	x	
O'Brien	x	
*Rollins	x	
*Coffin	x	
*Munson	x	
*Stokes	x	
Mayor	-	-
Total	8	0

*Council At-Large

	Yea	Nay
Byron		
Doore		
Paradis		
O'Brien		
*Rollins		
*Coffin		
*Munson		
*Stokes		
Mayor		
Total		

WARRANTY AND EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, THAT CONY VILLAGE, LLC, a limited liability company organized and existing under the laws of the State of Maine and having its offices located in Augusta, County of Kennebec and State of Maine, in consideration of One Dollar (\$1.00) and other valuable consideration paid by THE INHABITANTS OF THE CITY OF AUGUSTA, a body corporate organized and existing pursuant to the laws of the State of Maine, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said Inhabitants of the City of Augusta, its successors and assigns forever, with warranty covenants, the certain tract of land shown as Cony Village Drive (to be named Village Drive) on a plan entitled "Recording Plat, Cony Village, LLC, Cony Road and Eastern Avenue, Augusta, Kennebec County, Maine" by E.S. Coffin Engineering & Surveying, Inc. dated June 26, 2007, revised December 5, 2007, and recorded in the Kennebec County Registry of Deeds in Plan Book 2007, Pages 299 and 300, being located on the westerly side of Cony Road approximately 850 feet northerly from Eastern Avenue in the City of Augusta, County of Kennebec and State of Maine, more particularly described in Exhibit A attached hereto and made a part hereof.

Being a portion of the premises described in a deed from Shaw's Supermarkets, Inc. to Cony Village, LLC, dated April 26, 2005 and recorded April 29, 2005 in the Kennebec County Registry of Deeds in Book 8389, Page 41.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Inhabitants of the City of Augusta, its successors and assigns, forever.

And Cony Village, LLC does covenant with the said Grantees, their successors and assigns, that it shall and will warrant and defend the same to the said Grantees, their successors and assigns, forever, against the lawful claims and demands of all persons claiming by, through, or under them.

IN WITNESS WHEREOF, I, Patricia Tardiff, in my capacity as President of Cony Village, LLC, have caused this instrument to be executed this 28th day of January, 2008.

Signed, Sealed and Delivered
in the presence of

CONY VILLAGE, LLC

Melissa J. Smith
Witness

Patricia Tardiff
By: Patricia Tardiff
Its: President, duly authorized

STATE OF MAINE
KENNEBEC, SS.

Date: 1/28/08

Personally appeared before me the above-named Patricia Tardiff, in her capacity as President of Cony Village, LLC, and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of Cony Village, LLC.

Before me,
Melissa J. Smith
Notary Public ~~Attorney at Law~~
Printed Name:
My Commission Expires:
Melissa J. Smith
Notary Public
My Commission Expires July 6, 2012

DEED DESCRIPTION
VILLAGE DRIVE

CONY VILLAGE LLC
TO
CITY OF AUGUSTA

PREPARED FOR:
CRAIG NELSON

LOCATED AT:
CONY ROAD
AUGUSTA, MAINE

“EXHIBIT A”

PREPARED BY:
KANE P. COFFIN-PLS 1292
PROFESSIONAL LAND SURVEYOR

DATED: DECEMBER 10, 2007

EXHIBIT A

That tract of land shown as Cony Village Drive (to be named Village Drive) on a plan entitled "Recording Plat, Cony Village LLC, Cony Road and Eastern Avenue, Augusta, Kennebec County, Maine" by E. S. Coffin Engineering and Surveying, dated June 26, 2007, revised December 5, 2007, Kennebec County Registry of Deeds File Number 2007-299, 300 located on the westerly side of Cony Road, approximately 850 feet northerly from Eastern Avenue, in the City of Augusta, County of Kennebec, State of Maine, more particularly described as follows:

Outer right-of-way line

BEGINNING at a 5/8-inch rebar set in 2007 on the northwesterly right-of-way line of Cony Road at the southerly intersection with Cony Village Drive. Said point of beginning being N 27°44'58" E along the northwesterly right-of-way line of Cony Road, a distance of 99.58 feet from a 5/8-inch rebar set in 2007 at the northeasterly corner of Lot 21 on the above described plan.

THENCE northwesterly along the southwesterly right-of-way line of Cony Village Drive and along a curve concave to the southwest having a radius of 20.00 feet, an arc length of 31.42 feet to a 5/8-inch rebar set in 2007. The chord along this curve is N 17°15'02" W and 28.28 feet.

THENCE N 62°15'02" W along the southwesterly right-of-way line of Cony Village Drive, a distance of 183.29 feet to a 5/8 inch rebar set in 2007.

THENCE northwesterly along the southwesterly right-of-way line of Cony Village Drive and a curve concave to the north having a radius of 130.00 feet, an arc length of 45.38 feet to a 5/8 inch rebar set in 2007. The chord along this curve is N 52°15'02" W and 45.15 feet.

THENCE N 42°15'02" W along the southwesterly right-of-way line of Cony Village Drive, a distance of 86.82 feet to a 5/8-inch rebar set in 2007.

THENCE northwesterly along the southwesterly right-of-way line of Cony Village Drive and a curve concave to the south having a radius of 20.00 feet, an arc length of 18.67 feet to a 5/8 inch rebar set in 2007 at the most northerly corner of Lot 19. The chord along this curve is N 68°59'42" W and 18.00 feet.

THENCE southwesterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the southeast having a radius of 20.00 feet, an arc

length of 8.22 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 72°29'29" W and 8.16 feet.

THENCE southwesterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the northwest having a radius of 225.00 feet, an arc length of 7.96 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 61°44'09" W and 7.96 feet.

THENCE S 62°44'58" W along the southeasterly right-of-way line of Cony Village Drive and the northwesterly lines of Lots 19, 18, and a portion of Lot 17, a distance of 107.82 feet to a 5/8-inch rebar set in 2007.

THENCE southwesterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the northwest having a radius of 125.00 feet, an arc length of 11.20 feet to a 5/8 inch rebar set in 2007 at the most northerly corner of Lot 16. The chord along this curve is S 65°18'58" W and 11.20 feet.

THENCE southwesterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the northwest having a radius of 125.00 feet, an arc length of 47.07 feet to a 5/8 inch rebar set in 2007 at the most westerly corner of Lot 16. The chord along this curve is S 78°40'15" W and 46.80 feet.

THENCE northwesterly along the southerly right-of-way line of Cony Village Drive and a curve concave to the north having a radius of 125.00 feet, an arc length of 61.72 feet to a 5/8 inch rebar set in 2007. The chord along this curve is N 76°23'45" W and 61.09 feet.

THENCE N 62°15'02" W along the southerly right-of-way line of Cony Village Drive, a distance of 50.26 feet to a 5/8-inch rebar set in 2007.

THENCE northwesterly along the southwesterly right-of-way line of Cony Village Drive and a curve concave to the northeast having a radius of 125.00 feet, an arc length of 106.01 feet to a 5/8 inch rebar set in 2007 at the southeasterly corner of Lot 10. The chord along this curve is N 37°57'17" W and 102.86 feet.

THENCE northwesterly along the southwesterly right-of-way line of Cony Village Drive and a curve concave to the northeast having a radius of 125.00 feet, an arc length of 52.07 feet to a 5/8 inch rebar set in 2007 at the southeasterly corner of Lot 9. The chord along this curve is N 01°43'34" W and 51.69 feet.

THENCE northeasterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the east having a radius of 125.00 feet, an arc length of 38.27 feet to a 5/8 inch rebar set in 2007. The chord along this curve is N 18°58'41" E and 38.12 feet.

THENCE N 27°44'58" E along the northwesterly right-of-way line of Cony Village Drive, a distance of 208.96 feet to a 5/8-inch rebar set in 2007.

THENCE northeasterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the southeast having a radius of 125.00 feet, an arc length of 19.58 feet to a 5/8 inch rebar set in 2007 at the southeasterly corner of Lot 3. The chord along this curve is N 32°14'12" E and 19.56 feet.

THENCE northeasterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the southeast having a radius of 125.00 feet, an arc length of 43.27 feet to a 5/8 inch rebar set in 2007 at the most southerly corner of Lot 2. The chord along this curve is N 46°38'30" E and 43.06 feet.

THENCE northeasterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the southeast having a radius of 125.00 feet, an arc length of 43.27 feet to a 5/8 inch rebar set in 2007 at the most southerly corner of Lot 1. The chord along this curve is N 66°28'37" E and 43.06 feet.

THENCE northeasterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the southeast having a radius of 125.00 feet, an arc length of 13.86 feet to a 5/8 inch rebar set in 2007. The chord along this curve is N 79°34'19" E and 13.86 feet.

THENCE N 82°44'58" E along the northwesterly right-of-way line of Cony Village Drive, a distance of 69.89 feet to a 5/8-inch rebar set in 2007.

THENCE southeasterly along the northeasterly right-of-way line of Cony Village Drive and a curve concave to the southeast having a radius of 125.00 feet, an arc length of 119.99 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 69°45'02" E and 115.44 feet.

THENCE S 42°15'02" E along the northeasterly right-of-way line of Cony Village Drive, a distance of 84.94 feet to a 5/8-inch rebar set in 2007.

THENCE southeasterly along the northeasterly right-of-way line of Cony Village Drive and a curve concave to the southwest having a radius of 125.00 feet, an arc length of 54.64 feet to a 5/8 inch rebar set in 2007 at the most westerly corner of Lot 26. The chord along this curve is S 29°43'42" E and 54.20 feet.

THENCE southeasterly along the northeasterly right-of-way line of Cony Village Drive and a curve concave to the southwest having a radius of 125.00 feet, an arc length of 43.27 feet to a 5/8 inch rebar set in 2007 at the most westerly corner of Lot 25. The chord along this curve is S 07°17'18" E and 43.06 feet.

THENCE southwesterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the southwest having a radius of 125.00 feet, an arc length of 43.27 feet to a 5/8 inch rebar set in 2007 at the northwesterly corner of Lot 24. The chord along this curve is S 12°32'48" W and 43.06 feet.

THENCE southwesterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the west having a radius of 125.00 feet, an arc length of 22.44 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 27°36'24" W and 22.41 feet.

THENCE S 32°44'58" W along the northeasterly right-of-way line of Cony Village Drive, a distance of 83.35 feet to a 5/8-inch rebar set in 2007.

THENCE southwesterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the west having a radius of 225.00 feet, an arc length of 17.34 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 34°57'27" W and 17.34 feet.

THENCE southeasterly along the northeasterly right-of-way line of Cony Village Drive and a curve concave to the northeast having a radius of 20.00 feet, an arc length of 27.72 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 02°32'33" E and 25.56 feet.

THENCE S 42°15'02" E along the northeasterly right-of-way line of Cony Village Drive, a distance of 84.73 feet to a 5/8-inch rebar set in 2007.

THENCE southeasterly along the northeasterly right-of-way line of Cony Village Drive and a curve concave to the northeast having a radius of 70.00 feet, an arc length of 2.36 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 43°12'55" E and 2.36 feet.

THENCE southeasterly along the northeasterly right-of-way line of Cony Village Drive and a curve concave to the northeast having a radius of 70.00 feet, an arc length of 22.08 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 53°12'55" E and 21.99 feet.

THENCE S 62°15'02" E along the northeasterly right-of-way line of Cony Village Drive, a distance of 203.29 feet to a 5/8-inch rebar set in 2007 on the northwesterly right-of-way line of Cony Road.

THENCE S 27°44'58" W along the northwesterly right-of-way line of Cony Road, a distance of 80.00 feet back to the point of beginning.

Inner right-of-way line

BEGINNING at a 5/8-inch rebar set in 2007 on the southwesterly right-of-way line of Cony Village Drive at the southwesterly corner of said Lot 13 on the above described plan.

THENCE N 62°16'15" W along the northeasterly right-of-way line of Cony Village Drive, a distance of 10.00 feet to a 5/8-inch rebar set in 2007 at the southeasterly corner of Lot 12.

THENCE N 62°15'02" W along the northeasterly right-of-way line of Cony Village Drive, a distance of 40.98 feet to a 5/8-inch rebar set in 2007 at the southeasterly corner of Lot 11.

THENCE northwesterly along the northeasterly right-of-way line of Cony Village Drive and a curve concave to the northeast having a radius of 75.00 feet, an arc length of 117.79 feet to a 5/8 inch rebar set in 2007. The chord along this curve is N 17°14'37" W and 106.05 feet.

THENCE N 27°44'58" E along the southeasterly right-of-way line of Cony Village Drive, a distance of 208.96 feet to a 5/8-inch rebar set in 2007.

THENCE northeasterly along the southeasterly right-of-way line of Cony Village Drive and a curve concave to the southeast having a radius of 75.00 feet, an arc length of 71.99 feet to a 5/8 inch rebar set in 2007. The chord along this curve is N 55°14'58" E and 69.26 feet.

T̄HENCE N 82°44'58" E along the southeasterly right-of-way line of Cony Village Drive, a distance of 69.90 feet to a 5/8-inch rebar set in 2007.

T̄HENCE southeasterly along the southwesterly right-of-way line of Cony Village Drive and a curve concave to the south having a radius of 75.00 feet, an arc length of 71.99 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 69°45'02" E and 69.26 feet.

T̄HENCE S 42°15'02" E along the southwesterly right-of-way line of Cony Village Drive, a distance of 84.94 feet to a 5/8-inch rebar set in 2007.

T̄HENCE southeasterly along the southwesterly right-of-way line of Cony Village Drive and a curve concave to the southwest having a radius of 75.00 feet, an arc length of 98.17 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 04°45'02" E and 91.31 feet.

T̄HENCE S 32°44'58" W along the northwesterly right-of-way line of Cony Village Drive, a distance of 83.35 feet to a 5/8-inch rebar set in 2007.

T̄HENCE southwesterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the northwest having a radius of 175.00 feet, an arc length of 14.31 feet to a 5/8 inch rebar set in 2007 at the southeast corner of Lot 27. The chord along this curve is S 35°05'32" W and 14.31 feet.

T̄HENCE southwesterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the northwest having a radius of 175.00 feet, an arc length of 67.31 feet to a 5/8 inch rebar set in 2007 at the most easterly corner of Lot 15. The chord along this curve is S 48°27'16" W and 66.90 feet.

T̄HENCE southwesterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the northwest having a radius of 175.00 feet, an arc length of 10.01 feet to a 5/8 inch rebar set in 2007. The chord along this curve is S 61°06'41" W and 10.00 feet.

T̄HENCE S 62°44'58" W along the northwesterly right-of-way line of Cony Village Drive, a distance of 107.82 feet to a 5/8-inch rebar set in 2007.

T̄HENCE southwesterly along the northwesterly right-of-way line of Cony Village Drive and a curve concave to the northwest having a radius of 75.00 feet, an arc

length of 71.27 feet back to the point of beginning. The chord along this curve is S 89°58'20" W and 68.62 feet.

Meaning and intending to describe 1.95 acres of land shown as Cony Village Drive on a plan entitled "Recording Plat, Cony Village LLC, Cony Road and Eastern Avenue, Augusta, Kennebec County, Maine" by E. S. Coffin Engineering and Surveying, dated June 26, 2007, revised December 5, 2007, Kennebec County Registry of Deeds File Number 2007-299, 300. All bearings are oriented to Magnetic North 2000.

Also included in this conveyance is an easement for access for all purposes to a street light control box, wherever that control box may be permanently located within the Cony Village development site.

THIS DEED DESCRIPTION PREPARED BY KANE P. COFFIN, PLS 1292, AN AGENT OF E. S. COFFIN ENGINEERING & SURVEYING, INC.